

Al Farouq الفاروق *The Criterion*

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EIDUL ADH-HAA ISSUE

This special edition of Al-Farouq deals with a few pertinent issues related to Eidul Adh-haa, among them the question of synchronizing local Eidul Adh-haa with Saudi dates.

Qurbani time is a period for much reflection and meditation. We need to carefully ponder over the great act of sacrifice that we are about to undertake. Reflect on the makings of this great worship. What went into making this act of worship the momentous and magnificent occasion that it truly is? The answer to this is as simple as historic. It was the supreme effort by Sayyiduna Ebrahim (alayhis-salaam) to take his son to the altar of sacrifice that made Eidul Adh-haa one of the most memorable annual events in our history. Let our thoughts linger on what it took this father to muster such courage and determination. As we do this, let us focus on our determination and willingness to sacrifice our sons for the sake of Deen. I, obviously, do not mean slaughtering them! Instead, I refer to our commitment or lack thereof to sacrifice our sons in Allah's Way for the learning and propagation of Deen. Today parents are loathe to dedicate the life of just one of their sons to Deen. And those who do so, only do it when the son has either dropped out of school, or has become a

problem child, or has gone out of control. It is a strange phenomenon today that parents will select their most intelligent and bright kid for university, but not for Islamic education. The weak and not so clever child is good enough for Madresa.

SPEND THE BEST

The Quran teaches that when parting with wealth for Allah's sake, one should opt for the best and nothing less. (Surah Baqarah, verse 267) If we as parents really wish to serve Allah's Deen, we could make a huge contribution by dedicating the best of our sons or daughters for the learning of Deen. This will signal our true love and respect for Allah's Deen. Such a contribution can never be measured or quantified in monetary terms. In fact, it is the supreme sacrifice. When such learners come through the ranks, then see the type of Ulema Darul-Uloom will produce. In spite of having to work with students

whose morals and intellect leave a lot to be desired, the Darul-Uloom of today still succeed in producing high quality scholars and Ulema. Imagine what they would achieve had they been given the geniuses of the Ummah to educate in Islamic sciences. We commend those fathers who did indeed take the bold step of sending their clever sons to a madresa. Let the lesson of Hazrat Ebrahim's sacrifice serve to motivate us towards serving Allah's Deen. Let this propel us towards sacrificing our children for the future service of Islam.

A LESSON FROM THE SUPREME SACRIFICE

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Questions & Answers



Q: If Saudi sightings of hilaal are doubtful, as claimed, what is the position of the hujjaaj who perform their rituals according to Saudi sightings?

A: The Shariah has made a provision for such situations. It states that when the judiciary of an Islamic country declares the beginning of any month, then such a decree is binding on all Muslims living under the jurisdiction of that state, regardless of the basis of such a judicial ruling. Hence, Muslims in Saudi Arabia, as well as visitors living there, are obliged to follow the decree that emanates from their courts. However, this is not binding upon Muslims outside Saudi Arabia. (*Ahsanul Fataawa by Mufti Rashid Ahmed R.A. of Pakistan*) For Muslims elsewhere, local sighting is sufficient.

Q: What is your view on the move to establish a universal Islamic calendar through which Muslims throughout the world can celebrate Eid on the same day? Is this not a good move to promote unity among the Ummah?

A: Firstly, it is scientifically and astronomically impossible for Muslims worldwide to celebrate Eid on the same day, because of the International Date line and differences in time zones. Where there is day in any country, it will be night elsewhere. So even if a universal date is agreed upon, Eid will still fall on different days. Secondly, in order to establish a global or universal calendar, we will have to resort to astronomical calculations, and this will result in the

abandonment of the sunnah method of sighting the moon with the naked eye. When a sunnah is **replaced** by a modern or man-made method, the latter becomes a bid'ah, especially in matters of Deen. Thirdly, having Eid all together will not serve the cause of our unity one bit. People in one country or one city have been observing Eid for many years on the same date, but they still fight among themselves. How has such unification helped them? Achieving unity is not as simplistic as having one universal Eid. The Sahaaba celebrated Eid on different days in different countries, and so did all the pious people after them, but their hearts were united. The basic cause of disunity is a corrupt heart. When the hearts of people are adorned with good and noble character, they automatically love and respect each other, regardless of academic or personal differences.

Q: What does the Holy Quran or Hadith say about establishing Eid and Arafah?

A: Allah Ta'ala mentioned in the Holy Quran: *And they ask you (O Muhammad) about the crescents (new moons); Say: These crescents are (means of establishing) seasons for mankind (in general) and for the Hajj (in particular)* (Surah Baqarah, verse 189). From this verse of the Quran we derive two important lessons; one that the new moon is our fixed method of establishing our seasons of ibadat, and two, that the season of Hajj and the seasons of mankind in gen-

eral are two separate issues. It will, therefore, be in conflict with the Holy Quran should we use other methods to establish our Islamic months instead of sighting the crescent. Likewise it would be a direct violation of Quranic injunction should we link up the Hajj with the general seasons of mankind in other parts of the world, because the Quran has mentioned both separately.

Q: Is Qurbani wajib every year or just once in a lifetime? If I made Qurbani last year, can I skip my own Qurbani this year and make one for my late father or grandfather?

A: Qurbani is an annual wajib, if at the time of Qurbani one is by the means and the conditions are found. In that case, one should first offer one's own wajib Qurbani then consider making Qurbani on behalf a deceased. If you can afford both, well and good, otherwise do your own wajib Qurbani.

Q: I have not yet made aqeeqa for my child. Now that it is Qurbani time can I make aqeeqa instead of Qurbani, or should I do both, or only Qurbani? Please guide me.

A: If you are by the means you may do both, and if not then your own Qurbani comes first. Aqeeqa is a sunnah, whilst Qurbani is wajib. Also note that once a child has reached puberty, parents do not need to make Aqeeqa for that child.

Q: I have non Muslim family members. Can Qurbani meat be given to non Muslims?

A: Yes, qurbani meat may be given to non-Muslims as

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well. This is not like zakaat or fitrah, which must be given to Muslims only.

Q: What do we do with the bones of Qurbani meat? Someone told me that it should be buried. Is this true?

A: It is false to believe that the bones of a Qurbani must be buried. There is no ruling like this in Islam. You may do whatever you wish with the bones of Qurbani animals. It may be given to animals to eat, burnt out, or just thrown away..

Q: How many shares are there in a cow, and how many in a sheep? Can a Shaafi father cut one animal on behalf of his entire family, such as wife, kids, mother, etc.?

A: A cow has seven shares and a sheep only one. In the *Shaafi* math-hab the father can slaughter one animal on behalf of his entire family who are his dependents.

Q: If a minor has his own money, is Qurbani wajib on that minor?

A: No, Qurbani is not at all wajib on a na-baaligh (minor).

Q: Which parts of the Qurbani animal may not be eaten?

A: It is haraam to eat the genitals, gall bladder, urinary bladder, and the glands.

Q: In some places when the animal is being slaughtered all people standing around start

reading the takbeer aloud. Is this correct?

A: This is not an Islamic practice, is not necessary, and adds to the stress of the animal. It is only the slaughterer who must read *Bismillah Allahu Akbar*.

Q: Should a woman in haiz or nifaas also recite the takbeer-e-tashreeq?

A: Since these females do not have to offer salaah, they will not need to say the takbeer because the takbeer is only recited after a faradh salaah. Note that the takbeer of tashreeq may be recited as a zikr throughout the first ten days of Zhul-Hijja.

VIRTUES OF THE FIRST TEN DAYS OF ZHUL- HIJJA

In Surah Fajr Allah Ta'Aala takes an oath on "THE TEN NIGHTS". The commentators maintain that these are the first ten days of Zhul-Hijja. This shows how holy and sacred this period is, and the following Ahadeeth underscore this sacredness:

- 1) Hazrat Abu Hureira narrates that Rasoolullah (Sallallahu alaihi wasallam) said:
"There are no days more dearer to Allah, in which to perform His Ibadat, than the

first ten days of Zhul-Hijja. The fast of one of those days is equivalent to one year's fasting; and the ibadat of one night during this period is equal to the ibadat of Laylatul-Qadr."

(Ibni Maja, Tirmizhi)

- 2) Regarding the day of Arafah(9th Zhul-Hijja) the Messenger of Allah is reported to have said:

"Whoever fasts on the day of Arafah will be granted forgiveness for sins of the past year and the coming year."

(Targeeb 112/2)

- 3) In a hadeeth narrated by Imam Baihaqi the following appears:

"Fasting on the day of Arafah is equal in reward to one thousand fasts." (Targeeb 112/2)

- 4) Regarding the nights of Eid, Rasoolullah(Sallallahu alaihi wasallam) said:

"Whosoever shall spend the nights of the two Eids(Fitr and Adh-haa) in Ibadat, that person's heart shall not perish on the day all hearts shall perish-(i.e. the day of Qiyamat)."

Al-Farouq Q & A
PO Box 4280, Korsten
6014, South Africa
Tel/Fax: (041) 4571326
Email:
darululoom@telkomsa.net
SMS: 084 574 98 91

Hilal Sighting in Saudi Arabia: A First Hand Report

The following first hand account of Saudi hilaal sighting by Dr Salman Zafar Shaikh once again highlights the dangers of accepting this sighting universally. Please read on

Stay in Saudi Arabia

Allah gave me a chance to work and stay in Saudi Arabia for about 5 years (1416-1421 AH / 1995-2000G). I wanted to use my stay to find out about the system for Hilal sighting there, and to check my personal sighting attempts there. I had also heard a lot about the "Umm-ul-Qura Calendar". I wanted to locate the people making this calendar and meet them. It was not easy to find this. I was surprised that the local brothers usually do not know such things. Also, most people there do not suspect any mistakes in the Hilal announcements and hardly anyone of my local practising Muslim friends had ever attempted to sight the Hilal in their life!

Umm-ul-Qura Calendar

Finally I learned that the source of Umm-ul-Qura calendar is KACST - the prestigious King Abdul Aziz University for Science and Technology in Riyadh. After several calls to their offices, I was able to narrow down the names of the brothers involved and finally communicated with them and set a time to meet them!

I met the brothers at KACST who were calculating the Umm-ul-Qura Calendar for Hijri dates. The brothers were very warm and welcoming. I was able to

find out first hand, the details behind the Umm-ul-Qura Calendar. I was a bit hesitant to introduce the issue of errors in the Saudi announced dates for fear of offending my hosts. But Alhamdulillah they themselves expressed that they knew there were a lot of errors.

Official Saudi Hilal Sighting Committees

I was told that after the Saudi Government became aware of the complaints of errors in the announced dates, around 1419H, the ruling council ordered the formation of Hilal sighting committees. Each such committee includes: one member of Qada (Islamic Justice department), one member of KACST/ Astronomer, one member of Imarah (ruling council of the city), and volunteers.

Currently there are six such committees in Saudi Arabia - near Makkah, Riyadh, Qassim, Hail, Tabuk and Asir. While they may carry a telescope with them, the official sighting of the committee is with *naked eye* only. (Saudi scholars like Sheikh Al-Othaimeen are against use of telescopes. Sheikh Al-Othaimeen for example indicates that using telescopes increases the "Takalluf" (Burden) on Muslims, which Allah does not

want.) While the establishment of the committees is an excellent idea, these committees have not been given exclusive jurisdiction over the issue of moon sighting.

The Justice department still accepts the witness of "any" Muslim. Thus, often the new month is announced while *none* of these six official Hilal sighting committees saw the Hilal. In fact, most people, including scholars are unaware of the existence of these official committees.

Eid-ul-Fitr 1420 AH

In the case of Eid-ul-Fitr 1420 AH, I myself went with the Makkah committee to a sighting point on a hilltop of Shamesi outside the city of Makkah Mukarramah on Thursday evening. Neither I, nor the other 5 committee members sighted the Hilal. But we came back to the Haram Shareef and were astounded to hear the announcement that Eid-ul-Fitr was next day (Friday). In fact moonset was before sunset in Makkah for Thursday evening. In this case the error was quite brazen. Later I learned that Sheikh Yusuf Al-Qaradawi issued a fatwa indicating that Muslims who celebrated Eid 1420 AH on Friday following the Saudi announcement should make up one missed Ramadan fast.

I also learned that apparently it is the same few people at certain locations, reporting on those occasions when the claims are *extraordinarily* early in Saudi Arabia, year after year. (Allah Knows Best) While Saudi As-

First hand account of Saudi Hilaal sighting



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tronomers are quite aware of the problems, there seemed to be negligible awareness in the community at large. But that is changing. I saw an excellent article in Arab News of February 11, 2000 about the inaccuracy of Eid-ul-Fitr 1420 AH. Subsequently I also saw nice articles in Arabic in Ad-Dawah magazine, 6 Shawwal 1420 AH etc., and the article of Sheikh Al-Manea (of Makkah Al-Mukarramah) in Al-Jazeera, December 12, 1999. So while the coverage was still limited, at least there was some acknowledgement of the errors, albeit not officially.

Meeting with Sheikh Al-Othaimeen in Unayzah

Sheikh Al-Othaimeen welcomed us at his big Masjid in Unayzah after the Friday prayers and gave us a special private audience after the 'Asr prayers. We found that Alhamdulillah Sheikh Al-Othaimeen was himself aware of some of the errors from other complaints. But he indicated it would take time for most scholars to understand and fix the problem. He asked us to write a letter to the Majlis Al-Kabair Al-Ulema (Council of the Senior Ulema), which I believe meets twice a year in Taif. I personally did send a letter, but somehow did not receive any response. I also learned that scholars like Sheikh Abdullah bin Sulaiman Al-Manea (Makkah Mukarramah) support using calculations to reduce errors.

Sheikh Al-Othaimeen Supports Local Sighting

I mentioned to Sheikh Al-Othaimeen that for Muslims in America, the error in Saudi date announcements causes big problems, since some Muslims follow that, while others follow local sighting, thus resulting in multiple Eid celebrations in the same city, if not the same Masjid! I learned that Sheikh Al-Othaimeen supports Ikhtilaf Al-Matale (differences in moon sightings) - Muslims outside Saudi Arabia should do their own local sighting (instead of following Saudi Arabia). This is already published in the book: Fatawa Islamiya (Sheikh Bin Baaz, Sheikh Al-Othaimeen & Sheikh Al-Jibreen, published by Darul-Watan Lil-Nashr.

Sheikh Al-Othaimeen also writes that Sheikh Ibn Taimiya supported Ikhtilaf Al-Matale. In fact Saudi Arabia itself practices Ikhtilaf Al-Matale (e.g. they did not follow Yemen's earlier sighting in 1420 AH). I mentioned that while most Muslims in America agree to local sighting for 11 months, some want to follow the Saudi announcement for Eid-ul-Adha. Sheikh Al-Othaimeen (RH) wrote a fatwa on this and gave me the original paper, while keeping a photocopy for his records. Thus in his opinion, Muslims in North America should not have multiple dates for Eid etc. and should just go by local sighting, unaffected by the errors in Saudi announcements including Eid-ul-Adha. (see at <http://www.ummah.net/moonsighting/fatawah/isnaqa.htm> that the Annual Session of Fiqh Academy, held

in Jordan, October 11-16, 1986 attended by more than 100 outstanding scholars of Shari'ah adopted a resolution recommending that all Muslim countries should determine all the lunar months including Zhul-Hijjah on the same basis. Also available on the website is the Fatwa of Mufti Taqi Usmani from Pakistan supporting Ikhtilaf Al-Matale for Eid-ul-Adha as well.)

Further, even those scholars who support Ittihad Al-Matale, (or one universal sighting) say categorically that one cannot fix any one point on earth (e.g. Saudi Arabia) for a worldwide decision on dates. Thus, sighting in USA / India / Yemen / Nigeria / Fiji etc. should be as valid in establishing the date worldwide including Saudi Arabia as the sighting in Saudi Arabia. Further, if we fix Saudi Arabia sighting to decide the Eid in America, what if Hilal is sighted in America before Saudi Arabia (the world is round, in certain years this should be true). Would we then ignore our earlier sighting in America? Clearly, wouldn't this violate the hadith of fasting on seeing the Hilal and breaking on seeing it? (Compiled by Bukhari 3-124: Abu Huraira (RA) has narrated that the Prophet (SAW) said: "Start fasting on seeing the crescent (of Ramadan) and give up fasting on seeing the crescent (of Shawwal) and if the sky is overcast (and you cannot see it) complete thirty days of Sha'ban"). Since the world is round like a globe, the first Hilal sighting ("Lunar Date Line" for a month) can occur anywhere around the globe.

OFFICIAL Day of Eid-al-Adha in countries around the globe

WED 19 DECEMBER

Australia (The Arab Community)
 Australia (Arab Community)
 Albania (Follow Saudi Arabia)
 Bahrain (Follow Saudi Arabia)
 Denmark (Follow Saudi Arabia)
 Egypt (Follow Saudi Arabia)
 Kosovo (Follow Saudi Arabia)
 Kuwait (Follow Saudi Arabia)
 Libya (Follow Saudi Arabia)
 Luxembourg
 Qatar (Follow Saudi Arabia)
 Saudi Arabia (*Claim of sighting*)
 UAE (Follow Saudi Arabia)
 UK (also on Dec 20)
 USA and Canada (Arab Community, and Islamic Society of North America)

THURS 20 DECEMBER

Australia (Turkish Community)
 Barbados
 Belgium
 Canada (Toronto Hilal Committee)
 Guyana
 Indonesia
 Malaysia
 Mauritius
 Singapore
 South Africa
 Tanzania
 Trinidad & Tobago
 Turkey
 UK (also on Dec 19)
 USA (also on Dec 19, Dec 20)

FRI 21 DECEMBER

Australia (also on Dec 19, and 20)
 Bangladesh
 Fiji Islands
 India
 Iran
 Morocco
 Pakistan
 Senegal
 USA (Islamic Circle of North America & Chicago Hilal Committee)

Rasoolullah (*sallallahu alaihi wasallam*) said: "Your Eidul-Fitr is the day you observe Fitr, and your fast starts the day you begin fasting, and your Arafah is the day you observe wuqoof, and your Eidul Adh-haa is the day you observe Eidul Adh-haa."
 (Narrated by Abu Dawood and Tirmizhi)

This hadith commands each community with its own sighting and ritual observance, independent from the other.

Official Decision and Announcement of the High Judiciary Council of Saudi Arabia

Since the moon of Zhul-Hijjah was sighted Sunday, December 9, 2007 evening here in Saudi Arabia, we shall be completing twenty nine (29) days of Zhul-Qi'dah, Insha-Allah. Subsequently, 1 Zhul-Hijjah will be Monday, 10 December 2007, and the Muslims performing Hajj will be in 'Arafah on Tuesday, December 18 (9 Zhul-Hijjah 1428), and the Muslim Ummah shall be celebrating 'Eid al-Adhaa on Wednesday, December 19, (10 Dhul-Hijjah 1428), Insha-Allah.

Comment by Moonsighting.com: The moon was not even born on Sunday, December 9, Maghrib time in Saudi Arabia, and moon actually set 23 minutes **before** sunset in Makkah. According to the research conducted by Moonsighting.com the Universal date for Eid-al-Adha is on December 20, 2007 (Thursday) because actual authentic sighting was confirmed from Mauritius, Tanzania, South Africa, and Barbados on Monday, December 10, 2007.

The crescent moon is impossible to be seen anywhere in the world on Sunday, December 9. On Monday, December 10, 2007, it was visible in Australia, Part of Africa, and Americas (e.g., in San Diego, CA at sunset, the age is 31 hours, and moon is setting 44 minutes after sunset). Accordingly, 10th of Zhul-Hijjah (Eidul-Adha) in North America is expected to be on Thursday, December 20, 2007, Insha-Allah.

Our comment: *Once again, the Saudi sighting of the hilaal has proved to be dubious and ambiguous. Those who follow their sighting are also in ambiguity.*